

BILLING C
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission



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Federal Register on 09/23/2021 and available online at
[federalregister.gov/d/2021-20612](https://www.federalregister.gov/d/2021-20612), and on [govinfo.gov](https://www.govinfo.gov)

[Project No. 12514-087]

**Northern Indiana Public Service Company; Notice of Application Accepted for
Filing and Soliciting Comments, Motions to Intervene, and Protests**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Application Type: Temporary Variance from Reservoir Elevation
- b. Project No.: 12514-087
- c. Date Filed: September 13, 2021
- d. Applicant: Northern Indiana Public Service Company
- e. Name of Project: Norway Oakdale Hydroelectric Project
- f. Location: The Norway Oakdale Hydroelectric Project is located on the Tippecanoe River in Carroll and White Counties, Indiana.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791 (a)-825(r)
- h. Applicant Contact: M. Bryan Little, Senior Counsel, NiSource Corporate Services, 150 West Market Street, Ste. 600, Indianapolis, IN 46204, (317) 242-8236.
- i. FERC Contact: Zeena Aljibury, (202) 502-6065, zeena.aljibury@ferc.gov
- j. Deadline for filing comments, motions to intervene, and protests: 20 days from the issuance date of this notice by the Commission.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/doc-sfiling/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D.

Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number **P-12514-087**. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. **Description of Request:** The applicant requests Commission approval for a temporary variance from the reservoir elevation requirements at Lake Shafer which is part of the Norway Development. Due to the severe regional drought conditions and low river flow on the Tippecanoe River, the applicant is currently operating the project under abnormal river conditions and requests a variance from the allowable elevation at Lake Shafer (maintain fluctuation within of 0.25 feet below elevation 647.47 feet National Geodetic Vertical Datum) so that it can continue to meet the flow requirements from the downstream Lake Freeman (part of the Oakdale Development) to protect the federally endangered mussel species. Although the duration of drought conditions are difficult to predict, the applicant requests the temporary variance to remain into effect until March 31, 2022, which is when winter weather conditions typically begin to subside and will produce sufficient flow from melting snow and ice to allow Lake Shafer to return to its normal elevation.

l. **Locations of the Application:** The Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Agencies may obtain copies of the application directly from the applicant. At this time, the Commission has suspended access to the Commission's Public Reference Room due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll free, (866) 208-3676 or TTY, (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. **Comments, Motions to Intervene, or Protests:** Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene

must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title “COMMENTS”, “PROTEST”, or “MOTION TO INTERVENE” as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: September 17, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

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